



PATENT Attorney Docket TAV-2044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Lippard, et al.

Title: COBALT-NICKEL-CHROMIUM-

MOLYBDENUM ALLOYS WITH

REDUCED LEVEL OF TITANIUM

Serial No.: 10/656.918 NITRIDE INCLUSIONS

Filing Date: 05 September 2003:

INFORMATION DISCLOSURE STATEMENT

Pittsburgh, Pennsylvania 15222 February 1, 2005

Mail Stop: Amendment **Commissioner for Patents** Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants, in accordance with their duty of disclosure pursuant to 37 C.F.R. § 1.56, hereby advise the United States Patent and Trademark Office of the reference listed on the accompanying form PTO/SB/08A (substitute for 1449A/PTO) Information Disclosure Statement by Applicant.

> "Express Mail" mailing label number $\underline{ED249}803136US$ Date of Deposit February 1, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop:

Amendment, Commissioner for Patents, Alexandria, VA 22313-1450

Applicants note that although the cited reference may be relevant to the examination of the above-referenced application, under 37 C.F.R. § 1.97(h), the filing of this *Information Disclosure Statement* "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)."

In addition, by filing this Information Disclosure Statement, Applicants do not represent or concede that the cited reference constitutes prior art to the above-referenced application. The undersigned understands that the cited reference was submitted to ASM International on September 5, 2003.

Respectfully submitted,

Mark R. Leslie

Registration No. 36,360

Kirkpatrick & Lockhart Nicholson Graham LLP Henry W. Oliver Building 535 Smithfield Street Pittsburgh, Pennsylvania 15222-2312

(412) 355-6271

(412) 355-6501

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

				Complete if Known		
Substitute for form 1449A/PTO				Application Number	10,656,918	
				Filing Date	September 5, 2003	
INFORMATION DISCLOSURE				First Named Inventor	Lippard	
STAT	STATEMENT BY APPLICANT			Art Unit	3732	
				Examiner Name		
(use a	s many sheet	s as nece	ssary)			
Sheet	1	of	2	Attorney Docket Number	TAV-2044 (030631)	

	U.S. PATENT DOCUMENTS					
Exami ner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant	
Initials	Number - Kind Code ² (if known)		Applicant of Cited Document	Figures Appear		

FOREIGN PATENT DOCUMENTS							
	<u> </u>	Foreign Patent Document			Pages, Columns, Lines,		
Examiner Initials*	Cite No. ¹	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T®	
						₩	
						+-	
						\vdash	
	1						
						 	
	<u> </u>					 	
	ı	1	1		}	1	

Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.useto.cou or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WiPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it contains a valid OMB control number

				Complete if Known		
Substitute for form 1449A/PTO				Application Number	10/656,918	
				Filing Date	September 5, 2003	
INFORMATION DISCLOSURE				First Named Inventor	Lippard	
STAT	STATEMENT BY APPLICANT			Art Unit	3732	
				Examiner Name		
(use	as many she	ets as nece	ssary)			
Sheet	2	of	2	Attorney Docket Number	TAV-2044 (030631)	

NON PATENT LITERATURE DOCUMENTS						
Examiner Cite No.1		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				
		BRADLEY, et al., "Optimization of Melt Chemistry and Properties of 35Cobalt-35Nickel-20Chromium-10 Molybdenum Alloy Medical Grade Wire", submitted to ASM International on September 5, 2003.				
 						
····						

Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.